



Eric Gonzalez
District Attorney

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KINGS COUNTY**

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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: **JOHN MUSANTE**

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

MOS MUSANTE WAS FOUND GUILTY AFTER DEPARTMENTAL TRIAL FOR THE FOLLOWING CHARGES AND SPECIFICATIONS:

ALLEGATIONS:

1. MOS MUSANTE, ASSIGNED TO THE 110TH PRECINCT, WHILE ON DUTY ON OR ABOUT NOVEMBER 30, 2012, AT APPROXIMATELY 0245 HOURS, IN THE VICINITY OF THE JUNCTION OF THE LONG ISLAND EXPRESSWAY AND THE VAN WYCK EXPRESSWAY, IN QUEENS COUNTY, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE NEW YORK CITY POLICE DEPARTMENT, IN THAT HE SEARCHED A PERSON KNOWN TO THE DEPARTMENT'S VEHICLE WITHOUT SUFFICIENT LEGAL AUTHORITY.
2. MOS MUSANTE, ASSIGNED TO THE 100TH PRECINCT, WHILE ON DUTY ON OR ABOUT FEBRUARY 7, 2013, AT APPROXIMATELY 0100 HOURS IN THE VICINITY OF LAMONT AVENUE AND ELBERTSON STREET, IN QUEENS COUNTY, ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT HE FRISKED [REDACTED] WITHOUT SUFFICIENT LEGAL AUTHORITY.
3. MOS MUSANTE, ASSIGNED TO THE 110TH PRECINCT, WHILE ON DUTY ON OR ABOUT FEBRUARY 7, 2013, AT APPROXIMATELY 0100 HOURS, IN THE VICINITY OF LAMONT AVENUE AND ELBERTSON STREET, IN QUEENS COUNTY, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE NEW YORK CITY POLICE DEPARTMENT, IN THAT HE SEARCHED [REDACTED]'S VEHICLE WITHOUT SUFFICIENT LEGAL AUTHORITY.

CASE STATUS: CLOSED ON 02/18/2016

ACTION TAKEN: FORFEITURE OF SEVEN (7) VACATION DAYS

Disclosure # 2:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Jose Rivera	15-CV-6241	E.D.N.Y.	10-30-15	7-28-17	Settlement, without admission of fault or liability

Ruben D. Cerda, et al.	15-CV-5371	E.D.N.Y.	9-17-15	12-7-18	Judgment for the defendants, on motion, for failure to prosecute, pursuant to Fed. R. Civ. P. 41(b)
King Ho	11-CV-2171	E.D.N.Y.	5-4-11	6-24-11	Voluntary dismissal by the plaintiff, with prejudice, pursuant to Fed. R. Civ. P. 41
Shakeem Walker	10-CV-5651	S.D.N.Y.	7-26-10	4-13-11	Settlement, without admission of fault or liability

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 3:

CCRB CASE: 201205811

REPORT DATE: 05/07/2012

INCIDENT DATE: 05/02/2012

CCRB SUBSTANTIATED ALLEGATION(S):

1. Abuse - Frisk

NYPD Disposition: Administrative Prosecution Unit: Not guilty, no penalty

Disclosure # 4:

CCRB CASE: 201214106

REPORT DATE: 12/05/2012

INCIDENT DATE: 11/18/2012

CCRB SUBSTANTIATED ALLEGATION(S):

1. Abuse - Frisk
2. Abuse - Vehicle search
3. Abuse - Vehicle search

NYPD Disposition: Allegations #2 and #3 Administrative Prosecution Unit: Guilty, Forfeit vacation 7 days

Disclosure # 5:

CCRB CASE: 201508122

REPORT DATE: 09/25/2015

INCIDENT DATE: 09/25/2015

OTHER MISCONDUCT NOTED:

1. Abuse - Premises entered and/or searched

NYPD Disposition: No Disciplinary Action-DUP, no penalty

Eric Gonzalez
District Attorney
Kings County